



LAURENCE M. SCHWARTZTOL
STAFF ATTORNEY
RACIAL JUSTICE PROGRAM
T/212.519.7849.
LSCHWARTZTOL@ACLU.ORG

February 18, 2015

VIA ECF

Hon. Valerie E. Caproni
U.S. District Court
40 Foley Square
New York, NY 10007

AMERICAN CIVIL LIBERTIES
UNION FOUNDATION
NATIONAL OFFICE
125 BROAD STREET, 18TH FL.
NEW YORK, NY 10004-2400
T/212.549.2500
WWW.ACLU.ORG

Re: *Adkins et al. v. Morgan Stanley et al.*, No. 1:12-cv-7667 (VEC) (GWG)

Dear Judge Caproni,

I represent Plaintiffs in the above-referenced civil rights action. We write to notify the Court of supplemental authority relevant to Plaintiffs' pending Motion for Class Certification (ECF No. 127). On February 10, 2015, the Court of Appeals for the Second Circuit issued a decision in *Sykes v. Mel S. Harris & Assoc., LLC*, Case Nos. 13-2742-cv, 13-2747-cv, 13-2748-cv (attached hereto as Exhibit A). That decision addresses the standards applicable under Federal Rule of Civil Procedure 23 for assessing commonality (Slip Op. at 30-36), adequacy of class representation (Slip Op. at 42-46), and predominance of common issues (Slip Op. at 21-25, 37-41, 46-49).

We are grateful for the Court's consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Laurence M. Schwartztol".

Laurence M. Schwartztol